

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DORIS ROSARIO; and LUIS ORTIZ,

Plaintiffs,

v.

Case No. 6:21-cv-713-RBD-LRH

PETLAND ORLANDO SOUTH,
INC.; and ERIC DAVIES,

Defendants.

ORDER

Plaintiffs sued their former employers for failure to pay overtime wages under the Fair Labor Standards Act (“FLSA”). (*See* Doc. 1.) The parties moved for approval of their FLSA settlement agreement under *Lynn’s Food Stores, Inc. v. United States ex rel. United States Department of Labor*, 679 F.2d 1350, 1355 (11th Cir. 1982). (Doc. 14 (“Motion”); Doc. 14-1 (“Agreement”).) On referral, United States Magistrate Judge Leslie R. Hoffman recommends granting the Motion in part, severing the confidentiality and no-rehire provisions, but otherwise approving the Agreement, finding it fair and reasonable. (Doc. 17 (“R&R”).)

The parties do not object to the R&R. (Doc. 19.) So the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also*

Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Leslie R. Hoffman's Report and Recommendation (Doc. 17) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The parties' Joint Motion for Approval of FLSA Settlement Agreement (Doc. 14) is **GRANTED IN PART AND DENIED IN PART**:
 - a. The confidentiality provisions (Doc. 14-1, p. 4 ¶ 5, p. 11 ¶ 5) are **SEVERED**;
 - b. The no-rehire provisions (Doc. 14-1, pp. 4-5 ¶ 7, pp. 11-12 ¶ 7) are **SEVERED**;
 - c. In all other respects, the Motion is **GRANTED**.
3. As modified, the parties' Settlement Agreements (Doc. 14-1) are **APPROVED**.
4. This case is **DISMISSED WITH PREJUDICE**.
5. The Clerk is **DIRECTED** to terminate all pending motions and close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on July 23, 2021.




ROY B. DALTON JR.
United States District Judge